

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of Texas
(State)

Case number (if known): Chapter 11

☐ Check if this is an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy**

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name HouTex Builders, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names, and *doing business* as names

3. Debtor's federal Employer Identification Number (EIN) 46 - 1 1 0 2 1 1 1

4. Debtor's address

Principal place of business Mailing address, if different from principal place of business

17 Courtlandt Place
Number Street

Number Street

P.O. Box

Houston TX 77006
City State ZIP Code

City State ZIP Code

Location of principal assets, if different from principal place of business

Harris
County

Number Street

City State ZIP Code

5. Debtor's website (URL) N/A

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor HouTex Builders, LLC
Name

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5 3 1 3

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY
District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☐ No

☒ Yes. Debtor 2203 Looscan Lane, LLC; 415 Shadywood, LLC Relationship Affiliate
District Southern District of Texas When 08/23/2018
Case number, if known unknown MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Debtor HouTex Builders, LLC
Name

Case number (if known) _____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☐ No
- ☒ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☒ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property? 2402 Elmen Street

Number Street

HoustonTX77019

City

State

ZIP Code

Is the property insured?

- ☐ No
- ☒ Yes. Insurance agency Arthur J. Gallagher Risk Management Services

Contact name Sandra NiltonPhone 281-655-6828**Statistical and administrative information****13. Debtor's estimation of available funds**

Check one:

- ☐ Funds will be available for distribution to unsecured creditors.
- ☒ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- ☒ 1-49 ☐ 1,000-5,000 ☐ 25,001-50,000
- ☐ 50-99 ☐ 5,001-10,000 ☐ 50,001-100,000
- ☐ 100-199 ☐ 10,001-25,000 ☐ More than 100,000
- ☐ 200-999

15. Estimated assets

- ☐ \$0-\$50,000 ☒ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
- ☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
- ☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
- ☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

Debtor HouTex Builders, LLC
Name

Case number (if known) _____

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

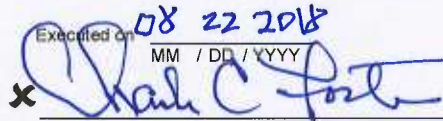
Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☒ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☒ I have been authorized to file this petition on behalf of the debtor.
- ☒ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08 22 2018
MM / DD / YYYY

 X _____

Signature of authorized representative of debtor

Charles C. Foster

Printed name

Title Manager

18. Signature of attorney

X 

Signature of attorney for debtor

Date 8 22 2018
MM / DD / YYYY

Charles M. Rubio

Printed name

Diamond McCarthy LLP

Firm name

909 Fannin Street, 37th Floor

Number Street

Houston

City

713-333-5127

Contact phone

TX 77010

State ZIP Code

crubio@diamondmccarthy.com

Email address

24083768

Bar number

TX

State

**RESOLUTIONS BY WRITTEN CONSENT
HOUTEX BUILDERS, LLC**

August 22, 2018

The undersigned being the holders of one-hundred percent (100%) of the membership interest (the “**Members**”) and all of the managers (the “**Managers**”) of HOUTEX Builders, LLC, a Texas limited liability company (the “**Company**”) waive all notice and hereby consents to the adoption of the following resolutions:

WHEREAS, it has been determined that it is in the best interest of the Company to file a voluntary petition under chapter 11 of title 11 of the United States Code;

NOW THEREFORE, IT IS RESOLVED, that, in the judgment of the Members and Managers, it is in the best interests of the Company, its creditors, and all other parties-in-interest, that the Company shall, and hereby is, authorized to file a voluntary petition to commence a case (the “**Bankruptcy Case**”) under chapter 11 of title 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for Southern District of Texas; and

FURTHER RESOLVED, that the Company is authorized to employ and retain the law firm of Diamond McCarthy LLP to represent the Company as general bankruptcy counsel prior to and during the Bankruptcy Case; and

FURTHER RESOLVED, that the Company is authorized, in the judgment of the Members and Managers, to employ and retain other professionals as is necessary to advise and provide services to the Company prior to and during the Bankruptcy Case; and

FURTHER RESOLVED, that the execution by the Managers of any document authorized by the foregoing resolutions, or any document executed in the accomplishment of any action or actions so authorized including any actions in furtherance of the Bankruptcy Case, shall become upon delivery the enforceable and binding act and obligation of the Company, as the case may be, without the necessity of the signature or attestation of any other representative of the Company or the affixing of the corporate seal;

FURTHER RESOLVED, that all acts, transactions or agreements undertaken prior to the adoption of these resolutions by any authorized representative of the Company in their respective name and on their behalf in furtherance of the foregoing matters are ratified, confirmed and adopted by the Company; and

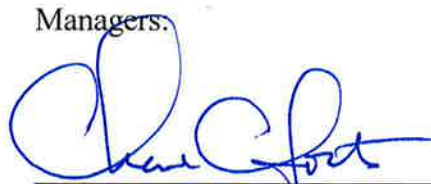
IN WITNESS WHEREOF the undersigned have executed this Written Consent effective as of the date set forth above.

Members:



Charles C. Foster

Managers:



Charles C. Foster, President



Lily Foster



Lily Foster, Vice-President and Secretary

Fill in this information to identify the case and this filing:

Debtor Name HOUTEX Builders, LLC
 United States Bankruptcy Court for the: Southern District of Texas
 (State)
 Case number (if known): _____

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

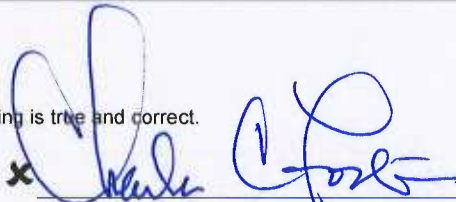
I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ Schedule A/B: Assets—Real and Personal Property (Official Form 206A/B)
- ☐ Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)
- ☐ Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)
- ☐ Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)
- ☐ Schedule H: Codebtors (Official Form 206H)
- ☐ Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum)
- ☐ Amended Schedule _____
- ☒ Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08 22 2018
 MM / DD / YYYY


 Signature of individual signing on behalf of debtor

Charles C. Foster

Printed name

Manager

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name Houtex Builders LLC

United States Bankruptcy Court for the: Southern District of Texas
(State)

Case number (If known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Spirit of Texas Bank 625 University Dr E College Station, TX 77840	281-990-6800	Bank loan				\$481,271.54
2	Tax Assessor - Collector P O Box 4622 Houston, TX 77210-4622	713-274-8000	Property tax	Unliquidated			\$65,385.00
3	Tomball ISD P O Box 276 Tomball, TX 77377	281-357-3100	Property tax	Unliquidated			\$25,460.00
4	Harris Montgomery Counties MUD #386 822 West Pasadena Blvd Deer Park, TX 77536-5749	281-479-7796	Property tax	Unliquidated			\$8,835.00
5	The Woodlands Township 2801 Technology Forest Blvd The Woodlands, TX 77381	281-210-3800	Property tax	Unliquidated			\$4,370.00
6	Carlton Woods Creekside Assoc c/o First Service Residential 5295 Hollister Rd Houston, TX 77040	713-932-1122	HOA				\$4,350.00
7	Carlton Woods Creekside Assoc c/o First Service Residential 5295 Hollister Rd Houston, TX 77040	713-932-1122	HOA	Unliquidated			\$2,900.00
8	Tanglewood Homes Association 5757 Woodway, Suite 160 Houston, TX 77057	713-781-1642	HOA	Unliquidated			\$900.00

Debtor Houtex Builders LLC
Name

Case number (if known) _____

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9	Pablo Vargas Unknown	Unknown	Trade debt				\$200.00
10	Scholl Lumber 6202 N Houston Rosslyn Road Houston, TX 77091	713-329-5300	Trade debt				\$96.50
11	Colin Magee P O Box 27011 Houston, TX 77227	281-798-4734	Trade debt				\$75.00
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20							